

**Carlos Hernández**  
Mayor

**Isis Garcia-Martinez**  
Council President

**Luis González**  
Council Vice President



Council Members  
**Jose F. Caragol**  
**Vivian Casáls-Muñoz**  
**Katharine E. Cue-Fuente**  
**Paul B. Hernández**  
**Lourdes Lozano**

## City Council Summary Agenda /Minutes

June 23, 2015  
7:00 P.M.

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Call to Order – **Council President Garcia-Martinez called meeting to order at 7:12 P.M.**

Roll Call-

- **Council Members Present:**

- **Council President Isis Garcia-Martinez**
- **Council Vice President Luis Gonzalez**
- **Councilman Jose Caragol**
- **Councilwoman Vivian Casáls-Muñoz**
- **Councilwoman Katharine Cue-Fuente**
- **Councilman Paul Hernandez**
- **Councilwoman Lourdes Lozano**

- **Also present were:**

- **Carlos Hernandez, Mayor**
- **Lorena Bravo, City Attorney**
- **Marbelys Fatjo, City Clerk**

Invocation given by Marbelys Fatjo, City Clerk

Pledge of Allegiance led by Councilman Paul Hernandez

### **Meeting Guidelines**

The following guidelines have been established by the City Council:

➤ **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**

- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.

- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

**The meeting guidelines were read into the record by the City Clerk in English and by Maricarmen Lopez, Administrative Aide, Office of the City Clerk, in Spanish.**

Presentations - None

1. Announcement of Amendments/Corrections to the Agenda –

**Items S, T, U, V, W, X, Y, Z, AA, BB, CC, DD and 8 have been added to today's agenda.**

**Item R has been withdrawn from today's agenda.**

**Item 3 and Exhibit 1 have been amended since the first reading of the item.**

2. Consent Agenda-

All items listed with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember, the Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.

**REPORT: Councilman Hernandez requested to remove Item B from the Consent portion of the Agenda.**

**REPORT: Motion to Approve the Consent Agenda, except Item B, made by Councilwoman Casáls-Muñoz, and seconded by Councilwoman Cue-Fuente. Motion passed (7-0).**

- A. Request permission to approve the Summary Agenda/Minutes of the City of Hialeah Council Meeting held on June 9, 2015. (OFFICE OF THE CITY CLERK) **APPROVED (7-0)**
- B. Proposed resolution creating a Property Assessed Clean Energy (PACE) Program and agreeing to join the Green Corridor Pace District; adopting an Interlocal Agreement relating to the corridor; providing for authorization; and providing for an effective date. (ADMINISTRATION) **APPROVED (7-0) RESOLUTION NO. 2015-094**

**Motion to Approve Item B made by Councilman Hernandez, and seconded by Councilwoman Casáls-Muñoz. Motion passed (7-0).**

- C. Request permission to increase purchase order # 2015-1070, since it is advantageous to the City, issued to State Contracting & Engineering Corporation, for additional items requested by the Hialeah Educational Academy and the Hialeah Building Department at the time of inspection which are necessary and are not part of the original contract for the expansion of the Hialeah Educational Academy, thereby changing the scope of work and causing the increase to the contract amount, by an additional amount of \$23,729, for a new total cumulative amount

not to exceed \$1,206,730. On January 13, 2015 the City Council awarded this vendor with the service of construction of a new building addition to the City of Hialeah Educational Academy Charter School pursuant to Invitation to Bid # 2014/15-3230-00-011. (CONSTRUCTION & MAINTENANCE DEPT. AND DEPT. OF GRANTS & HUMAN SERVICES) **APPROVED (7-0)**

- D. Request permission to increase purchase order # 2015-1206, issued to A-1 Duran Roofing, Inc., since it is advantageous to the City in that after the Milander Recreation Center Roofing Renovation begun, the Hialeah Building Department requested the installation of six (6) over flow scuppers which are not part of the original plans, thereby causing changes to the scope of work and an increase to the original purchase order, by an additional amount of \$1,800, for a new total cumulative amount not to exceed \$113,800. On February 10, 2015 the City Council awarded this vendor with the Milander Recreation Center Renovation-Roofing pursuant to Hialeah Bid # 2014/15-3230-00-020. (CONSTRUCTION & MAINTENANCE DEPT. AND DEPT. OF GRANTS & HUMAN SERVICES) **APPROVED (7-0)**
- E. Request permission to utilize Florida Sheriffs Association and Florida Association of Counties Contract # 14-22-0904 – ½ Ton 4-Door Crew Cab Pickup Truck – 4X2 Specification # 47, and issue a purchase order to Auto Nation Chevrolet Pembroke Pines, to purchase one (1) 2015 Chevrolet Silverado 1500, in a total cumulative amount not to exceed \$22,253. (FLEET MAINTENANCE DEPT.) **APPROVED (7-0)**
- F. Request permission to increase purchase order # 2015-1132, since it is advantageous to the City, issued to Sensus USA Inc., sole source supplier of meters, its components and parts used by the Department of Public Works, to purchase five hundred (500) water meters for inventory purposes, by an additional amount of \$28,380, for a new total cumulative amount not to exceed \$83,380. (DEPT. OF PUBLIC WORKS) **APPROVED (7-0)**
- G. Request permission to waive competitive bidding, since it is advantageous to the City, and increase purchase order # 2015-894, issued to Miami-Dade Water & Sewer Department Preston Laboratory, for water quality testing, by an additional amount of \$15,000, for a new total cumulative amount not to exceed \$30,000. (DEPT. OF PUBLIC WORKS) **APPROVED (7-0)**
- H. Request permission to waive competitive bidding, since it is advantageous to the City in that the City has satisfactorily conducted business with this company for several years and the company is familiar with the materials and requirements of the City's Public Works Department, and increase purchase order # 2015-825, to purchase pipe, materials, supplies, hydrants and water meters, by an additional amount of \$17,842.50, for a new total cumulative amount not to exceed \$42,842.50. (DEPT. OF PUBLIC WORKS) **APPROVED (7-0)**
- I. Request permission to issue a purchase order to SRS Engineering, Inc., one of the firms approved by the City Council on June 8, 2010 for City engineering services, for the project management, design and preparation of construction documents for the construction of water and sewer improvements along NW 142<sup>nd</sup> Street from NW 97<sup>th</sup> Avenue to NW 107<sup>th</sup> Avenue, as well as along NW 107<sup>th</sup> Avenue from NW 138<sup>th</sup> Street to NW 142<sup>nd</sup> Street within the City of Hialeah Annex area, in a total cumulative amount not to exceed \$121,000. (DEPT. OF PUBLIC WORKS) **APPROVED (7-0)**

- J.** Request permission to cancel purchase order # 2015-1131 approved by the City Council on January 13, 2015, issued to Brooks Products in the amount of \$60,000, to purchase meter boxes and covers, since it is advantageous to the City in that the vendor has changed their credit policy to require payment in advance for all future orders. Request permission to waive competitive bidding and issue a purchase order to HD Supply Waterworks, LTD., since it is advantageous to the City in that this vendor is a distributor of Brooks products and is familiar with the City's Department of Public Works' specifications and requirements, to purchase concrete meter boxes and metal covers for water meters, in a total cumulative amount not to exceed \$60,000. (DEPT. OF PUBLIC WORKS) **APPROVED (7-0)**
- K.** Request permission to issue a purchase order to Hazen and Sawyer, P.C., one of the firms approved by the City Council on June 8, 2010 for City engineering services, to conduct upgrades to Pump Station 106, in a total cumulative amount not to exceed \$231,933. (DEPT. OF PUBLIC WORKS) **APPROVED (7-0)**
- L.** Request permission to issue a purchase order to Hazen and Sawyer, P.C., one of the firms approved by the City Council on June 8, 2010 for City engineering services, for the services of preparing corrective action plans, construction documents, permitting, limited bidding services, and Construction Engineering Inspection (CEI) for Pumps Stations 4, 5, 56, 100, 101 and 126, in a total cumulative amount not to exceed \$215,856. (DEPT. OF PUBLIC WORKS) **APPROVED (7-0)**
- M.** Request permission to increase purchase order # 2015-1128, since it is advantageous to the City, issued to Xylem Inc., for repairs, parts and/or replacement of FLYGT submersible pumps and attributes, by an additional amount of \$190,000, for a new total cumulative amount not to exceed \$340,000. (DEPT. OF PUBLIC WORKS) **APPROVED (7-0)**
- N.** Request permission to waive competitive bidding, since it is advantageous to the City in that the City's Department of Public Works has conducted business with the this vendor for the past several years and this vendor is familiar with the materials requirement of the City's Department of Public Works, and increase purchase order # 2015-833, issued to A & B Pipe and Supply, Inc., for the purchase of pipes and materials, supplies and hydrants, by an additional amount of \$25,000, for a new total cumulative amount not to exceed \$50,000. (DEPT. OF PUBLIC WORKS) **APPROVED (7-0)**
- O.** Request permission to waive competitive bidding, since it is advantageous to the City in that the City's Department of Public Works has conducted business with this vendor for the past several years and the vendor is familiar with the materials requirement of the City's Department of Public Works, and increase purchase order # 2015-830, issued to Lehman Pipe and Plumbing Supply Inc., for the purchase of pipe, materials, supplies and hydrants, by an additional amount of \$25,000, for a new total cumulative amount not to exceed \$50,000. (DEPT. OF PUBLIC WORKS) **APPROVED (7-0)**
- P.** Request permission to waive competitive bidding, since it is advantageous to the City in that the City's Department of Public Works has conducted business with this vendor for the past several years and this vendor is familiar with the materials and requirements of the City's Department of Public Works, and increase purchase order # 2015-826, issued to Ferguson Enterprises, Inc., for the purchase of pipes, materials, supplies and hydrants, by an additional

amount of \$25,000, for a new total cumulative amount not to exceed \$50,000. (DEPT. OF PUBLIC WORKS) **APPROVED (7-0)**

- Q. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Metro Express, Inc., vendor providing the lowest quotation, for sidewalk restoration on Palm Avenue from 5<sup>th</sup> to 6<sup>th</sup> Street, in a total cumulative amount not to exceed \$39,943.26. (STREETS DEPT.) **APPROVED (7-0)**
- R. ~~Proposed resolution amending the Lease Agreement between the City of Hialeah, as Landlord, and City of Hialeah Education Academy, Inc., a Florida Not For Profit Corporation, as Tenant, authorized pursuant to Hialeah, Fla., Ordinance 2014-16 (March 11, 2014), and in particular, amending paragraph 1 of the Lease Agreement entitled "Premises", to include the lease of the new building addition consisting of approximately 8,085 square feet of floor space, and amending paragraph 3 of the Lease Agreement entitled "Base Monthly Rent", to provide for the payment rent for the use and occupancy of the new building addition; and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the First Amendment to Public Charter School Lease Agreement, in substantial form as attached hereto and made a part hereof as Exhibit "1". (ADMINISTRATION)~~ **WITHDRAWN**
- S. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has previously worked for the City in pump station repairs and is familiar with the practices and standards of the Department of Public Works, and issue a purchase order to South Florida Utilities, Inc., for wet well repair and/or replacement of the Department of Public Works' Lift Stations # 1, 9, 62, 143, 120, 131 and 135, in a total cumulative amount not to exceed \$81,943. (DEPARTMENT OF PUBLIC WORKS) **APPROVED (7-0)**
- T. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order G & R Electric Corp., to provide work and/or materials based on existing site conditions, customer requirements, and UL Provided Field Evaluation Finding Report dated June 3, 2012 on Pump Station #109, in a total cumulative amount not to exceed \$11,500. (DEPT. OF PUBLIC WORKS) **APPROVED (7-0)**
- U. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor is familiar with the City's Department of Public Works' control system, and issue a purchase order to Curry Controls Company, for equipment, professional services, and startup services for Pump Station 150 pump control panels, in a total cumulative amount not to exceed \$70,472. (DEPT. OF PUBLIC WORKS) **APPROVED (7-0)**
- V. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor is familiar with the City's Department of Public Works' control system, and issue a purchase order to Curry Controls Company, for repairs and/or replacements of electronic panels for eleven (11) of the City's pump stations, in a total cumulative amount not to exceed \$39,463.88. (DEPT. OF PUBLIC WORKS) **APPROVED (7-0)**
- W. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor built the City's Department of Public Works' Boom Truck and it is the only company in the State of Florida that is certified to complete the needed repair to the City's Boom Truck, and issue a purchase order to Ring Power Corporation, to repair the City's Boom

Truck, in a total cumulative amount not to exceed \$39,979.15. (DEPT. OF PUBLIC WORKS) **APPROVED (7-0)**

- X. Request permission to issue a purchase order to Pat's Pump & Blower, L.L.C., sole source vendor in the State of Florida for VAC-CON Trucks, for the replacement of the VAC-CON cleaner debris body, in a total cumulative amount not to exceed \$44,142.28. (DEPT. OF PUBLIC WORKS) **APPROVED (7-0)**
- Y. Request permission to utilize Florida Sheriff's Association Bid # 13-11-0904 Specification #44, and issue a purchase order to Pat's Pump & Blower, L.L.C., to purchase a new 2014 Aquatech Sewer/Catch Basin Cleaners, in a total cumulative amount not to exceed \$369,399. (DEPT. OF PUBLIC WORKS) **APPROVED (7-0)**
- Z. Request permission to utilize School District of Palm Beach County FL, Solicitation No. 10C-54B, for the purchase and installation of a new shade system for McDonald Park, in a total cumulative amount not to exceed \$22,900. (PARKS & RECREATION DEPT.) **APPROVED (7-0)**
- AA. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Labor Ready Southeast, Inc., to cover the anticipated cost of temporary labor for the Solid Waste Division of the Department of Public Works for the remainder of the fiscal year on an as needed basis, as well as to ratify previous payments made to the vendor, by an additional amount of \$42,322.61, for a new total cumulative amount not to exceed \$ 426,145.64. (DEPT. OF PUBLIC WORKS) **APPROVED (7-0)**
- BB. Proposed resolution ratifying a Lease Agreement between the City of Hialeah, as Landlord, and Miami-Dade County, as Tenant, through its Community Action and Human Services Department, for the lease of Hialeah Neighborhood Service Center Room 126, consisting of 953 square feet, more or less, located at 300 East 1<sup>st</sup> Avenue, Hialeah, Florida, for a term of three years, with an option to renew for two consecutive terms of one year each, commencing on October 1, 2013 and terminating on September 30, 2016, for an annual rental amount of twelve thousand seven hundred seventy dollars and 85/100 (\$12,770.85), payable in equal monthly installments of one thousand sixty four and 25/100 (\$1,064.25); authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the Lease Agreement attached hereto and made a part hereof as Exhibit "1"; and providing for an effective date. (ADMINISTRATION) **APPROVED (7-0). RESOLUTION NO. 2015-095**
- CC. Proposed resolution approving and ratifying a Lease Agreement between the City of Hialeah, as Landlord, and Miami-Dade County, as Tenant, through its Community Action and Human Services Department, for the lease of Hialeah Neighborhood Service Center Rooms 106 through 110, consisting of 899 square feet, more or less, located at 300 East 1<sup>st</sup> Avenue, Hialeah, Florida, for a term of two years, with an option to renew for two consecutive terms of one year each, commencing on November 1, 2014 and terminating on October 30, 2016, for an annual rental amount of eleven thousand four hundred seventy three dollars and 56/100 (\$11,473.56), payable in equal monthly installments of nine hundred fifty six dollars 13/100 (\$956.13); authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the Lease Agreement attached hereto in substantial form and made a part hereof as Exhibit "1"; and providing for an effective date. (ADMINISTRATION) **APPROVED (7-0). RESOLUTION NO. 2015-096**

**DD.** Request permission to increase purchase order # 2015-1311, issued to Ntare Corporation, sole source vendor, to remove and install a PVC Membrane System at Milander Aquatic Center, since it is advantageous to the City in that once the existing membrane system was removed, additional labor and materials were required to complete the project, by an additional amount of \$4,160, for a new total cumulative amount not to exceed \$155,160. (PARKS AND RECREATION DEPT.) **APPROVED (7-0)**

- 3.** Second reading and public hearing of proposed ordinance granting a license to provide, install, repair, replace and maintain bus passenger benches at City-approved sites within City limits to Martin Outdoor Media, Inc., a Florida Corporation, for an initial term of five years, commencing on June 1, 2015, and ending on May 31, 2020, with the option to renew for two additional five year terms upon the mutual consent of the parties; authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the License Agreement attached hereto and made a part hereof as Exhibit "1"; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (ADMINISTRATION) **APPROVED (7-0) ORDINANCE NO. 2015-35**

**REPORT: Motion to Approve Item 3 made by Councilman Hernandez, and seconded by Council Vice President Gonzalez. Motion passed (7-0).**

*The City Council approved the item on first reading on May 26, 2015.*

- 4.** Report of the Evaluation Committee with incorporated recommendations from staff concerning the City's Request for Proposals for Solid Waste Collection Services RFP No. 2014/15-9500-00-002 and Mayor's Memorandum to Council in support of the Committee's Report.

**REPORT: Armando Vidal, Director of Public Works, City of Hialeah, 3700 West 4<sup>th</sup> Avenue, Hialeah, FL, addressed the Council on this item.**

- a. Robert J. Stovash, Esq., with Stovash, Case & Tingley, P.A., in representation of Waste Pro of Florida, Inc., protests the City's Evaluation and Selection Committee's Report rejecting Waste Pro's Proposal as non-responsive to RFP No. 2014/15-9500-00-002.

**REPORT: Robert Stovash, Esq., (registered lobbyist) in representation of Waste Pro of Florida, Orlando, FL, addressed the Council on this item.**

**REPORT: Russell Mackie, Waste Pro, 17302 Pines Boulevard, Pembroke Pines, FL, addressed the Council on this item.**

**REPORT: Grant Smith, Esq., in representation of Progressive Waste Services, addressed the Council on this item.**

**REPORT: Mark Antonelli, Esq., 420 South Dixie Highway, Coral Gables, FL, outside counsel for the City of Hialeah, addressed the Council on this item.**

**REPORT: David Dee, Esq., Tallahassee, FL, outside counsel for the City of Hialeah, addressed the Council on this item.**

**REPORT: David Gregory, with the Offices of Louis Berger, hired by the City of Hialeah to review the proposals and assist staff in making determinations regarding the proposals, addressed the Council on this item.**

**Motion to Uphold the decision of the Evaluation Committee and reject Waste Pro's proposal as non-responsive made by Councilman Caragol, and seconded by Councilwoman Lozano. Motion passed (7-0).**

5. First reading of proposed ordinance granting an Exclusive Franchise to Progressive Waste Solutions of FL., Inc., a Florida Corporation, for the collection of Residential Municipal Solid Waste, as the company with the highest ranked best overall proposal pursuant to Request for Proposal No. 2014-15-9500-00-002, for a term beginning upon execution of the Exclusive Franchise Agreement by the parties and ending on September 30, 2019, with an automatic renewal term thereafter of five years, beginning on October 1, 2019 and ending on September 30, 2023, and subsequent automatic renewals for a term of one year each with a cumulative duration of all subsequent renewals after the first renewal term not exceeding a total of five years; approving the terms of the Exclusive Franchise in substantial conformity with the agreement attached hereto and made a part hereof as Exhibit "1"; and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the Exclusive Franchise Agreement; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (DEPT. OF PUBLIC WORKS) **APPROVED (7-0). Second reading is scheduled for August 11, 2015.**

**REPORT: Mark Antonelli, Esq, 420 South Dixie Highway, Coral Gables, FL, outside counsel for the City of Hialeah, addressed the Council on this item.**

**REPORT: Armando Vidal, Director of Public Works, City of Hialeah, addressed the Council on this item.**

**REPORT: Motion to Approve Item 5 made by Council Vice President Gonzalez, and seconded by Councilwoman Casals-Munoz. Motion passed.**

**REPORT: Grant Smith, Esq., addressed the Council and Mr. Vidal in regards to the code of silence.**

**REPORT: Lorena Bravo stated that the cone of silence has be lifted.**

**REPORT: Jesus Novo, 590 West 77 Street, Hialeah, FL, addressed the Council on this item.**

6. First reading of proposed ordinance authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a Lease Agreement between the City of Hialeah, as Landlord, and Progressive Waste Solutions of FL, Inc., a Florida Corporation, as Tenant, for use of the Solid Waste Equipment Facility located at 970 East 56 Street, Hialeah, Florida, consisting of 6,570 square feet of office space, surface parking area and equipment storage



yard, more particularly described as Parcel F and Parcel J in location sketches attached to the Lease Agreement, for a term beginning on the date the Tenant begins to provide collection services to the City pursuant to the Exclusive Franchise Agreement for the collection of Residential Municipal Waste, and thereafter coterminous with the Exclusive Franchise Agreement, for an annual base rent amount of \$108,000.00 subject to an annual adjustment of three percent (3%) of the base rent or one hundred percent (100%) of any upward increase in the Consumer Price Index, whichever amount is greater, payable in equal monthly installments, in substantial conformity with the term as attached hereto and made a part hereof as Exhibit "1".; providing penalties for violation hereof; providing for a severability clause and providing for an effective date. (DEPT. OF PUBLIC WORKS) **APPROVED (7-0). Second reading is scheduled for August 11, 2015.**

**REPORT: Motion to Approve Item 6 made by Councilman Hernandez, and seconded by Council Vice President Gonzalez. Motion passed (7-0).**

7. Board Appointments –

- a. Proposed resolution appointing **Oswaldo Estrada** to the Board of Trustees of the Employees General Retirement System as the Police Benevolent Association (“PBA”) appointment for the remainder of a two (2)-year term ending on December 31, 2016. **APPROVED (7-0) RESOLUTION NO. 2015-097.**

**REPORT: Motion to Approve Item 7a made by Council Vice President Gonzalez, and seconded by Councilwoman Cue-Fuente. Motion passed (7-0).**

8. First reading of proposed ordinance amending the Lease Agreement between the City of Hialeah, as Landlord, and City of Hialeah Education Academy, Inc., a Florida Not-For-Profit Corporation, as Tenant, authorized pursuant to Hialeah, Fla., Ordinance 2014-16 (March 11, 2014), and in particular, amending Paragraph 1 of the Lease Agreement entitled “Premises”, to include the new building addition consisting of approximately 8,085 square feet of floor space, and amending Paragraph 3 of the Lease Agreement entitled “Base Monthly Rent”, to provide for the payment of rent for the use and occupancy of the new building addition; and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the First Amendment to Public Charter School Lease Agreement, in substantial form as attached hereto and made a part hereof as Exhibit "1"; repealing all ordinances in conflict herewith; providing for a severability clause; and providing for an effective date. (ADMINISTRATION) **APPROVED (7-0). Second reading is scheduled for August 11, 2015.**

**REPORT: Motion to Approve Item 8 made by Council Vice President Gonzalez, and seconded by Councilman Hernandez. Motion passed (7-0).**

9. Unfinished Business – **None**

10. New Business – **None**

11. Comments and Questions –

- **Mayor Hernandez thanked the City Council for the great work done together.**

- **Barbara Canales, 1681 West 68 Street, Hialeah, FL, on behalf of area neighbors, addressed the Mayor and Council in regards to a City project at West 68 Street.**
- **Tom Paustian, 1809 West 68 Street, Hialeah, FL, addressed the Mayor and Council in regards to the project at West 68 Street.**

**Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision item.**

**Attention Applicants: Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.**

**ALL WERE DULY SWORN IN.**

### **ZONING**

PZ 1. Recommendation of denial by the Planning and Zoning Board to repeal and rescind Hialeah, FL. Ordinance 79-100 and consider a Variance Permit to allow 48 parking spaces, where 230 parking spaces are required for an existing 46,183 square feet utility equipment building. **Property located at 1245 West 69th Street, Hialeah, zoned C-2 (Liberal Retail Commercial) (Applicant: Leslie A. Lewis, Attorney for AT&T Florida) APPROVED (6-1-0) with Councilwoman Lozano voting "NO". First reading is scheduled for August 11, 2015.**

**REPORT: Motion to Remove Item PZ 1 from Table, made by Council Vice President Gonzalez, and seconded by Councilwoman Cue-Fuente. Motion passed (7-0).**

**REPORT: Carmen Morrina, 7030 West 12 Lane, addressed the Council in opposition to the approval of the item, and presented the Council with photographs for their review.**

**REPORT: Joseph Emmerich, 7130 West 12 Court, addressed the Council in opposition to the approval of the item.**

**REPORT: Maria Johnson, Regional Director, AT&T, 150 West Flagler Street, addressed the Council on this item and presented the council with copies of a PowerPoint presentation for their review.**

**REPORT: Jacqueline Torres, 7090 West 12 Court, addressed the Council in opposition to the approval of the item.**

**REPORT: Leslie Lewis, Esq., (registered lobbyist) 1801 Lee Road, Winter Park, Florida, addressed the Council in representation of AT&T.**

**REPORT: Debora Storch, Planning and Zoning Official, addressed the Council on this item.**

**REPORT: Motion to Override the recommendation of denial from the Planning and Zoning Board, made by Councilwoman Cue-Fuente, and seconded by Council Vice President Gonzalez. Motion passed (6-1-0) with Councilwoman Lozano voting “NO”.**

*Item was postponed by the City Council on June 9, 2015 until June 23, 2015, per the applicant's request.*

*Item was postponed by the City Council on May 12, 2015 until May 26, 2015, per the applicant's request.*

*Item was postponed by the City Council on April 14, 2015 until May 12, 2015, per the applicant's request.*

*Item was denied by the Planning and Zoning Board on March 25, 2015.*

- PZ 2. Second reading and public hearing of proposed ordinance rezoning property from R-2 (One and Two Family Residential District) to R-3 (Multiple Family District) and granting a Variance Permit to allow one of six parking spaces to back-out into the street, where back-out into the street parking is only allowed in low density residential districts, to allow a lot coverage of 30.6%, where a maximum of 30% is required, to allow a pervious area of 21%, where a minimum of 30% is required, and to allow a front setback of 14.54 feet, where 25 feet are required, a side setback of 5 feet, where 10 feet are required, a corner side setback of 5 feet, where 15 feet are required and a rear setback of 19.5 feet, where 20 feet are required, contra to Hialeah Code §§ 98-2190, 98-2056(b)(2), 98-2056(b)(1), 98-589, 98-590, and 98-591. **Property located at 130 West 20 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (Applicant: Blanco Family Holdings V LLC) **APPROVED (6-0-1) with Councilwoman Casals-Muñoz having abstained from voting. ORDINANCE NO. 2015-36.**

Registered Lobbyist: Ceasar Mestre

**REPORT: Councilwoman Casals-Muñoz abstained from voting on this item due to a voting conflict. There is a Form 8B Memorandum of Voting Conflict for County, Municipal, and other Local Public Officers form, filed by Councilwoman Casals-Muñoz, on file with the Office of the City Clerk.**

**REPORT: Motion to Approve Item PZ 2 made by Councilwoman Cue-Fuente, and seconded by Council Vice President Gonzalez. Motion passed (6-0-1) with Councilwoman Casals-Muñoz having abstained from voting.**

*The City Council approved the item on first reading on June 9, 2015.*

*Item was approved by the Planning and Zoning Board on May 27, 2015.*

- PZ 3. First reading of proposed ordinance rezoning property from R-1 (One Family District) to R-2 (One and Two Family Residential District) and granting a Variance Permit to allow a duplex on a substandard-sized lot having an average width of 60 feet, where at least 75 feet are

required, to allow a lot coverage of 33%, where a maximum of 30% is required, and to allow a proposed west side setback of 5.82 feet, where 7.5 feet are required for accessory building, contra to Hialeah Code §§ 98-544, 98- 2056(b)(2) and 98-546. **Property located at 841 East 14 Place, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (Applicant: Eleuterio A. Perez and Nidia Perez) **ITEM POSTPONED UNTIL COUNCIL MEETING OF AUGUST 11, 2015 due to the applicants not being present.**

**REPORT: Motion to Postpone Item PZ 3 until August 11, 2015 made by Council Vice President Gonzalez, and seconded by Councilman Hernandez. Motion passed (7-0).**

*Item was approved by the Planning and Zoning Board on June 10, 2015.*

PZ 4. First reading of proposed ordinance granting a Special Use Permit (SUP) to extend the Neighborhood Business District (NBD) Overlay on property located at an activity node area, for a proposed mixed-use development including 50,912 square feet of commercial space and 304 residential units, pursuant to Hialeah Code §98-1630.8, and granting a Variance Permit to allow 739 parking spaces, where 863 are required, allowing to satisfy the 76 required guest parking spaces with valet parking services pursuant to Hialeah Code §98-2189(16)a, to allow 186 units with less than 850 square feet from which 12 units have 580 square feet, where ten percent of residential units may have a minimum of 600 feet, to allow a front and side setback of 20 feet for the tower or middle of the building, where a minimum of 22 feet are required, to allow a setback of 20 feet for the cap or penthouse of the building, where a minimum of 34 feet are required, to allow an interior side setback of 20 feet and 15 feet for the cap or penthouse, where a minimum of 28 feet are required, contra to Hialeah Code §§ 98-2189(16)a, 98-1630.2, 98-16.0.3(e)1, and 98-1630.3(e)2. **Property located at 401 and 435 Hialeah Drive, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (Applicant: (Shoma Retail, LLC. c/o Felix M. Lasarte) **APPROVED (7-0), Second reading is scheduled for August 25, 2015.**

**REPORT: Felix Lasarte, Esq. (registered lobbyist) in representation of the applicant, addressed the Council on the item.**

**REPORT: Alice Sargent, 26 Suffolk Avenue, Hialeah, FL, addressed the Council in opposition to the approval of this item.**

**REPORT: Roxanna Green, resident of 7835 West 18 Lane, addressed the Council in opposition to the approval of this item.**

**REPORT: Motion to Approve Item PZ 4 made by Councilman Hernandez, and seconded by Councilwoman Casals-Munoz. Motion passed (7-0). Second reading is scheduled for August 25, 2015.**

*Item was approved by the Planning and Zoning Board on June 10, 2015.*

**NEXT CITY COUNCIL MEETING: Tuesday, August 11, 2015 at 7:00 P.M.**

**NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, August 25, 2015 at 6:30 p.m.**

**REPORT: The meeting was adjourned by Council President Garcia-Martinez at 12:19 a.m.**

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3<sup>rd</sup> Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).